

FILED

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS,
SAN ANTONIO DIVISION**

APR 24 2012

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DEPUTY CLERK

STEVEN E. SWENSON,
Plaintiff,

v.

SCHWAN'S CONSUMER BRANDS
NORTH AMERICA, INC.,
Defendant.

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Cause No. SA-10-CA-00602-OLG

ORDER

Pending before the Court are Plaintiff's objections to portions of Defendant's summary judgment evidence (docket no. 60) and Defendant's motion to strike those objections as untimely filed (docket no. 66). Plaintiff failed to timely respond to Defendant's motion to strike. Local Rule CV-7 provides that if "no response [is] filed within the time period prescribed by this rule, the Court may grant the motion as unopposed." The Court is of the opinion that such an outcome is warranted in this case.

Accordingly, it is OREDERED that Defendant's motion to strike Plaintiff's objections (docket no. 66) is GRANTED.

It is FURTHER ORDERED that Plaintiff's objections to Defendant's summary judgment evidence (docket no. 60) are STRICKEN.

IT IS SO OREDERED.

SIGNED this 24 day of April, 2012.

[Signature]

United States District Judge Orlando L. Garcia